

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CHRISTINA BARNES	:	
	:	
Plaintiff,	:	Hon. Joseph H. Rodriguez
	:	
v.	:	Civil Action No. 08-1703
	:	
OFFICE DEPOT, INC.,	:	
	:	
	:	
Defendant.	:	<b>ORDER</b>

---

This matter having come before the Court upon the motion for summary judgment filed by Defendant Office Depot, Inc. pursuant to Fed. R. Civ. P. 56; and

The Court having reviewed the submissions of the parties and having heard oral argument on the motion on November 4, 2009;

For the reasons expressed on the record on that date and for the reasons expressed in the accompanying Opinion of even date,

IT IS on this 24th day of November 2009 hereby

ORDERED that Defendant's summary judgment motion [17] is granted in part and denied in part: Summary judgment is granted as to Count I and Count III; Summary judgment is denied as to Count II, Count IV, and as to Plaintiff's claim for punitive damages.

/s/ Joseph H. Rodriguez

HON. JOSEPH H. RODRIGUEZ,  
United States District Judge